

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6384

BILL NUMBER: SB 126

NOTE PREPARED: Dec 5, 2005

BILL AMENDED:

SUBJECT: Freezing of Credit Reports.

FIRST AUTHOR: Sen. Dillon

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that a consumer may prevent access to the consumer's credit report by requesting that the consumer reporting agency place a security freeze on the consumer's credit report. The bill imposes other requirements and restrictions. The bill provides that: (1) a consumer reporting agency may furnish a consumer's identifying information only to certain persons; and (2) a consumer may bring a civil action against a consumer reporting agency for injury caused to the consumer by the consumer reporting agency's violation of the law.

Effective Date: July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues: The bill would allow a new cause for civil action. If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. Any additional revenue is likely to be minimal.

Explanation of Local Expenditures:

Explanation of Local Revenues: County circuit and superior courts could see an increased number of suits filed as a result of the bill.

Court Fee Revenue: If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Any additional revenue is likely to be minimal.

State Agencies Affected:

Local Agencies Affected: County Circuit and Superior Courts.

Information Sources: www.in.gov/judiciary/admin/courtmgmt/2004stats.

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